

THE BODEN OF PROOF

Synopsis of Chapters Already Published

Bess Brown, daughter of a banker in the town of Marshall, refuses at the eleventh hour to marry Jim Holden. After leaving her Jim comes upon a tramp, who turns out to be Harvey Snow, an old schoolmate. Together they board a freight train bound for Dewitt, where Snow dies of an injury he has received, after Jim has promised to deliver a certain envelope to the tramp's mother at Wickenburg, Arizona, and has taken oath not to reveal the identity of the tramp. Holden is arrested and searched, and the envelope is found to contain fifty cents and a dollar bill. Jim is released, and is held on suspicion of the robbery and of the murder of Harvey Snow. In his suitcase, left beside the railroad track, a man named Barlow discovers further evidence against him. Jim's lips are sealed by his oath to Snow, and by his fear of the police. Bess, however, knows something about the case.

Jim is convicted of murder and sentenced to death three weeks before allowed him in which to carry out his last wish. Bess, who is his fiancée, is allowed to see him. On her cousin's desk Bess finds a note, signed "Harvey," which tells her that the man who was the tramp is still alive. She goes to the prison to see him. On the train to Wickenburg she meets a young woman, a Miss Jackson, who develops a friendship with her. Bess is told that the man who was the tramp is still alive. She goes to the prison to see him. On the train to Wickenburg she meets a young woman, a Miss Jackson, who develops a friendship with her. Bess is told that the man who was the tramp is still alive. She goes to the prison to see him. On the train to Wickenburg she meets a young woman, a Miss Jackson, who develops a friendship with her.

CHAPTER XXXVII.

PRESSED FOR TIME.

THE prison attendant approached Bess and handed her a note. She could not imagine what the message was, and it rather startled her.

Opening it hurriedly, she read:

"Bess: Must see you at once. Come to me as quickly as you can. You must be here before 3:30 this afternoon."

Not understanding at all what the urgent message was about, but knowing that she must go, Bess turned back to the cell where the tramp was confined and asked him if he would continue the conversation later.

"Can't always tell," replied the fellow. "Sometimes I feel like talking and other times it hurts me mouth to say a word."

Bess had no time for further talk. She turned to the man Jim had sent with the message and told him to carry word to Jim that she would be there on time.

As Bess rushed out of the little jail she almost bumped into a man. Drawing back confusedly, she looked at him.

"Oh, it's you, Tom," she said quickly, recognizing her cousin.

"Yes, Bess, and I want to talk to you. It's real important," he replied.

"Sorry," answered the girl, "but just now I have something far more important. If you call at aunt's this afternoon I can see you after 5 o'clock."

"All right," said Tom, and Bess hurried on.

When she had gone a little further a sudden notion possessed her to turn around. As she faced about she saw Tom just disappearing into the jail.

"I wonder what he's going to do in there?" she asked herself, curiously.

The girl hurried on to her aunt's, secured a horse and started at once for the State's prison.

Reaching the jail, she was shown to Jim's cell. The guard that conducted her had a suspicious air about him. The whole atmosphere of the place was pregnant with the spirit of a great happening that day.

Bess vaguely wondered what could be the matter. She remembered the incident Gordon had told her about Jim being nearly caught with the button that contained a plan of escape.

Then she understood why the guard who conducted her seemed suspicious, and why he stood rigid at her side when they stopped in front of Jim's cell.

"Oh, hello!" cried Jim, jumping up from his cot and approaching the bars. Bess noted with a pang that his face was much worn. His eyes seemed to be the only movable things in his head. They were so prominent on account of the thinness of his face and the dark lines below that to Bess he looked unattractive, starved, shipwrecked man. He was a most pitiable sight.

"I'm so glad you came at once. I was worried for fear that the messenger would be unable to find you."

"What is the matter, Jim?" she asked, noting his apparent agitation.

"I've been worrying about this Mrs. Snow business, girl," he replied slowly. "Understand, I realize that you did your best, and I certainly couldn't expect you to do the impossible."

"But, Jim, I could have tried harder," she broke in, a wave of emotion choking her.

"No, no, Bess, you couldn't. You certainly did your best. But I wish you'd just tell me the details—"

He broke off quickly. The guard had suddenly been called away by one of the prisoners. With furtive eyes Jim watched the man, while his lips breathed to Bess in a low tone.

"Quick, Bess, I'm worried. This. The lawyer has a little of my money left. I've a friend that's going to undertake this mission for me tonight."

ROBERT CARLTON BROWN

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there in Wickenburg up till six months ago, and had then been very poor."

"No one heard of her afterward?" queried Jim.

"No."

"Well, that's not very encouraging. Still, I don't know but what it would be all well, after all, if she were dead. No, of course not," he corrected himself quickly, "she isn't dead. She mustn't be that. It isn't time yet. Things are not completed."

"I doubt if she could be found," said Bess, trying to express the double meaning of his eyes, as the guard turned at her side.

"Well, there's no chance now, I guess. I've got just nine days left to live," sighed Jim. "Tomorrow they take me to solitary confinement to spend my last week of grace."

"Oh, Jim!" she cried in agony.

"Yes, that's it. Oh, well, it won't be so hard. They don't like to have a condemned man mix with the other prisoners; it's bad for their morals, you know."

"Jim! Jim!" she cried, putting up her little hand quickly to silence him.

"Gordon, my miss," broke in the guard, crying her critically, "you ain't allowed to put your hands into the cell please keep them outside."

Bess turned such an innocent face up to him that the guard was sorry he had spoken, feeling that such a girl could not be guilty of passing anything to her prison lover.

To show his confidence, a few minutes later he strolled away, while they were talking.

"Quick, Bess, we've another second. The tree will be easily found. Gordon knows it; we've spoken of it often in passing it on Sunday morning walks. There's a woodpecker's hole, about eight feet up, on the side away from the trunk. Get the money all together and give it to Gordon. Tell him to put it into the tree before 3:30 this evening. I have a friend that will get it."

"But will it be safe?" objected Bess.

"Perfectly," told Gordon to be sure nobody sees him when he puts it there, and, mind you, as you value your life, don't let anybody be there at seven tonight. If the man I am going to send sees anybody he's apt to shoot. He'll be desperate. By the way, you might get a small revolver for him and stuff that into the hole to cork up the monkey. Then he'll be able to find it with his hands easier."

Jim had said all this in such a peculiar tone of voice that Bess was greatly startled.

"Who—who is this man, Jim?" she managed to ask.

"It's a very—"

"Shhh!" Bess broke in, for the guard had turned and was coming back.

"Sorry," said the latter, when he had approached nearer, "but your time is up. The visiting hour is over for today."

Bess gave Jim a longing look. She wanted to know who the man was that was to undertake this second mission. But there was no answer that she could understand in Jim's eyes.

"You will see to those little matters for me, Bess," he said, in an off-hand manner.

"Oh, you mean about those bills," Bess replied, catching his spirit and replying in the same way. "Yes, I'll see that everything is paid as you want it. Although I think it is a unique way of paying out money."

"That doesn't matter," said Jim. "It's my way."

Exchanging good-byes, each with a peculiar tremor that had not been apparent before, they parted.

CHAPTER XXXVIII.

WHAT THE BELL TOLLED.

BESS left the prison grounds and galloped back to Marshall. On her way she drew up near the water tank and easily located the tree to which Jim had referred.

It was a big trunk that stood out prominently. Bess could see the edge of the woodpecker's hole Jim had referred to.

It hovered her greatly to think that she had failed in her mission and that another was to take her place. She racked her memory trying to think of any person Jim knew sufficiently well of whom to ask such a favor. It could not be Gordon, for he knew nothing about it.

Bess wondered if it could be one of the prisoners that Jim had met in jail. That seemed hardly probable.

Instead of going home, Bess stopped at the house where Gordon lived and gave him Jim's message. After he had read it, he became very dejected.

"It must have come to him all at once," said Gordon, "but I can't imagine for the life of me who it is that he is trusting with this mission. There's nobody except you that he would be willing to trust, unless it were I, and he hasn't said a word to me about it."

"It is funny," replied Bess thoughtfully. "He said the man would be a desperate fellow, and I can't imagine how he wants to get anybody of that description for."

"Poor Jim," sighed Gordon. "Captivity seems to be affecting his mind. He isn't himself at all. I do hope he won't do anything foolish. But you can't ever tell. A man like that is pretty desperate."

"Oh, I hope he won't do anything rash before we get a chance to see the governor about his pardon. That tramp I saw this morning holds the key to the whole situation," Bess rejoined. "I think I can get his story, and that will put us right where we will have all the threads together."

"If you got anything out of him you're a wonder, Miss Brown," remarked the other.

"I certainly tried my best to pump him."

"I think I shall go over there now and see if I can't find out something more from him," added Bess.

"It's pretty late," cautioned Gordon.

"Yes, but I don't want to miss any chance," Bess replied. "Some one might have seen me there this morning and

become suspicious. I think the fellow could be bought. He would hold his tongue about the story for a fair price, I am sure."

"Do you suspect that any one has been tampering with him since then?" Gordon inquired.

Bess hesitated for a few minutes, then she answered slowly:

"I saw Tom go in there just after I had left."

"And it's Tom that you suspect?"

"Yes, I'm pretty sure from his actions that he's back of the whole affair. But I wouldn't say that to anybody else. I can't be sure you know."

"Well, then maybe you had better see that tramp this afternoon. I'll see about the money for Jim and get it to the place he mentioned before six thirty. It's half past four now; I won't have much time."

"Yes, I'll go," said Bess, and she mounted her horse, and went to the town jail to see the tramp.

A sudden change had come over him. Bess feared that she was too late, that some one had forestalled her and effectually closed his mouth with money.

After ten minutes conversation with him she was certain that was the case. He was nervous and non-committal. It was perfectly evident from his manner that he had been tampered with.

Bess tried all the strategy at her command, but to no avail; the tramp's mouth was sealed and now he even denied that he had mentioned the burglary to Miss Brown.

Bess did not know how to cope with this situation. So, after some further futile talk she took her leave, determined, however, to work upon the tramp until the last minute, in the hope that he would change his mind and tell what he had seen. If argument did no good she would try to buy him.

Discouraged by her unsuccessful interview, Bess mounted her horse and returned to her aunt's, a bitterness against her cousin Tom growing within her. Now she was almost certain that he was back of the whole affair and that he had bought off the tramp.

Arrived at her aunt's home, the girl turned her horse over to a stable boy and entered the house.

A servant told her as she passed the front room. She stepped in to see who was there.

"It was Tom Griswold."

"What are you doing here?" she asked, in a worried tone.

"You said you'd see me here at five tonight," he said, "but I'm very busy. What is it you want, Tom?" she queried impatiently.

The man looked at her earnestly. There was an affection in his earnest gaze, but she made no sign of her knowledge.

"I want to plead with you," he began slowly, "to go back to your father. Poor man, he's worried to death. He isn't half himself. He almost believes that he sent you away and he takes himself to task for it every minute. I feel sure."

"But I left of my own accord," objected Bess.

"I know, but he thinks he drove you to it."

"For that matter, he did," replied Bess. "But why should you be so interested in it?"

"Because I hate to see him feel so bad. George misses you dreadfully. The whole town is talking about your having left home."

"Tom, I wish you would leave this affair to me. It is my own business and I do not choose to discuss it further. My father's business has been taken and I mean to stick to it."

"You are working against your own interest. You will never be able to retrieve your name here," Tom remonstrated. "You go chasing off to Arizona and—"

"I know, but he thinks he drove you to it."

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"How did you know that I went to Arizona?" she put in quickly.

"Why, that's where Mrs. Snow—"

"How do you know anything about Mrs. Snow?" cried Bess, as the man caught himself and began to stammer in confusion.

"Well—er—you see," he began. "It's been talked of so much around town and I've—er—heard about—"

"But no one has heard about Mrs. Snow. Who is she, Tom?" the girl persisted. "Is she the mother of Harvey Snow?"

"You told me all I know about him," he stammered, tried to reply, finally found the water too deep for him and changed the subject.

After a few minutes of talk about Mrs. Snow, Tom was plainly perturbed. He excused himself abruptly, saying that it was quarter past six and he would have to get home to dinner.

When he had gone, Bess sat in a brown study for some minutes. She was thinking of Jim and wondering who was to undertake the mission to Arizona this second time. She was also thinking of Tom, and wondering just how far he was guilty.

Another thought came to her. Who was the man Bess had seen at the prison supposed to live in Dewitt? There were many things she must find out in very little time.

The clock struck half past six, and a maid announced dinner.

Bess started. She was hot and confused. Before appearing at the table she would have to wash and recover her usual appearance in order not to excite her aunt's curiosity.

Rushing to her own room she threw open the window to get a breath of air. It was already black night outside, the day being one of the shortest in the year.

As she stood for a moment at the window, she stared into the darkness in the direction of the State's prison, three miles away, thinking of Jim.

At that moment her ears seemed to catch the sound of a bell tolling, borne on the wind. What did it mean at that hour?

Room! A dull, ugly roar came across the fields.

Room! The sound was repeated.

"Good heavens!" cried Bess, going cold, a fluttering sensation coming over her. "It is the cannon at the jail. A convict has escaped from prison!"

What if it were Jim?

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